

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

Joseph Christie, individually and on behalf of §  
all others similarly situated, §  
§  
Plaintiff, §  
§ CIVIL ACTION  
-v.- § NO. 4:20-cv-00518  
Contract Callers Inc., and §  
John Does 1-25, §  
§  
§  
Defendants. §

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**DEFENDANT CONTRACT CALLERS, INC.'S  
MOTION TO DISMISS PLAINTIFF'S COMPLAINT**

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Pursuant to Federal Rule of Civil Procedure 12(b)(6), Defendant Contract Callers, Inc. (“CCI”) files this Motion to Dismiss Plaintiff’s Complaint for failure to state a claim.

1. CCI files this Motion to Dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6) because the Complaint fails to state a claim upon which relief can be granted.

2. Plaintiff’s claims are based on disclaimer language that has been approved by the Fair Trade Commission and Consumer Financial Protection Bureau.

3. Moreover, Plaintiff’s Complaint fails to identify any misrepresentation by CCI that was material.

4. Legal argument in support of this motion is provided in the accompanying brief.

WHEREFORE, Defendant Contract Callers, Inc. prays the Court grant this Motion to Dismiss Plaintiff’s Complaint, dismissing Plaintiff’s claims in their entirety with prejudice to re-

filing of same and award it such other and further relief to which Defendant shows itself to be justly entitled.

Respectfully submitted,  
/ s/ Laura Ellis Kugler  
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**ATTORNEY FOR DEFENDANT**  
**CONTRACT CALLERS, INC.**

#### **CERTIFICATE OF SERVICE**

This is to certify that on August 4, 2020, a true and correct copy of the foregoing pleading has been furnished to all parties in accordance with the Federal Rules of Civil Procedure.

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